

REMARKS:

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In response to the Office Action mailed October 24, 2007, an Amendment was filed on October 31, 2007. Further, a Request for Continued Examination was filed on October 31, 2007.

Applicants respectfully request that the Examiner disregard the Amendment filed on October 31, 2007 and consider this Amendment in response to the Office Action mailed October 24, 2007.

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In the Office Action mailed October 24, 2007, the Examiner rejected claims 1, 4, 5, 7-9, 12-14, 16 and 17. Claims 1, 5, 7, 9, 12, 14 and 16 are amended herein, and new claims 18-22 is added. Claims 4, 8, 13 and 17 are cancelled herein without prejudice. Claims 2, 3, 6 and 15 remain cancelled. No new matter is presented. Thus, claims 1, 5, 7, 9, 12, 14, 16 and 18-22 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 112:

Starting on page 2 of the outstanding Office Action, the Examiner rejected claim 17. As mentioned above, claim 17 is cancelled herein.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1, 7, 12 and 16 were rejected as being anticipated by U.S. Patent No. 6,515,704 (Sato).

Sato does not teach or suggest "displaying a screen configured by a first display area displaying an image from an image acquisition device, and a second display area displaying a sequence of images" where the screen includes "a number display area displaying a number of the generated image data" when detecting the photographing instruction, as recited in claim 1. Independent claims 7 and 12 recite similar features.

Instead, the thumbnail images in Sato are displayed in subwindows (102-113) in a clockwise direction (see, col. 5, lines 10-16 and FIG. 4), or at a predetermined window of the subwindows (see, col. 6, lines 35-39).

Sato does not teach or suggest providing "a first display area displaying an image from the image acquisition device", "a second display area displaying a sequence of stored image data", and "a number display area displaying a number of the stored image data", where "a display of the number display area is updated to the number of the stored image data responsive to the generating of the image data", as recited in claim 16. In contrast, Sato simply inserts photographed images in the clockwise direction in the next sequential one of the subwindows.

It is respectfully submitted that Sato does not disclose or suggest at least the feature of "a first display area", "a second display area" and "a number display area displaying a number of the generated image data", as recited in the independent claims.

Accordingly, Sato does not disclose every element of the Applicants' independent claims. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Sato does not disclose the features recited in independent claims, as stated above, it is respectfully submitted that independent claims patentably distinguish over Sato, and withdrawal of the §102(e) rejection is earnestly and respectfully solicited.

Lastly, Applicants respectfully traverse the Examiner's statement regarding inherency and point out that inherency may not be established by probabilities or possibilities. As discussed in detail above, Sato does not perform operations of the claimed invention including updating the number display area to the number of the generated image data. Thus, Sato does not inherently or explicitly teach or suggest the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 4, 5, 8, 9, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato and/or U.S. Patent No. 5,943,050 (Bullock). As mentioned above, claims 4, 8 and 13 are cancelled herein.

Claim 5 recites, "the image acquisition device is a device outside of the image photographing system." Dependent claims 9 and 14 recite similar features.

Per the Examiner's own assertion, Sato fails to specifically disclose that the images are input from an outside device to the display, but relies on Bullock as teaching the same. Further, as Bullock merely displays a captured image adjacent to an image capture window and requires

a user to manually select and discard a selected image from images displayed (see, column 6, lines 3-6), Bullock does not cure the deficiencies of Sato.

Sato and Bullock, alone or in combination, do not teach or suggest the above-identified features of the dependent claims.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIMS:

Sato and Bullock, alone or in combination, do not teach or suggest "... displaying said images in frames" and "**moving one of said images in a direction between said frames indicated by a user and updating a display number** of said one of images based on said moving by the user" (emphasis added).

As mentioned above, Sato only displays the thumbnail images in prescribed subwindows (see, col. 4, lines 42-51) and Bullock displays previously captured images adjacent to a currently captured image (see, col. 5, lines 45-57 and FIGS. 5 and 6).

It is submitted that new claim 18 is patentably distinguishable over the cited references.

Further, for at least the above mentioned reasons with respect to claims 1 and 5, new claims 19-22 are also patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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